

**REMARKS**

Reconsideration is requested.

Claims 1, 15, 16, 22-24, 32, 36, 37, 40, 41, 48, 50, 51, 57, 58 and 62-69 are pending.

Claims 66-69 have been added and find support in the specification on pages 25-26.

The status of claim 33 has been corrected above. The Examiner's helpful suggestions in this regard are acknowledged, noted with appreciation.

Claim 32 has been amended to obviate the Section 112, second paragraph, rejections of the same. Withdrawal of the rejections are requested.

The specification has been amended on pages 8-9 to correct the inconsistency noted by the Examiner.

The specification has been revised with regard to the use of trademarks.

The Examiner's comments relating to the Patent Office's preferred arrangement of the specification are noted. As the noted headings are not mandatory, and the specification includes a heading related to the drawings, and the present specification is an English translation of the parent PCT application, the applicants submit, with due respect, that the specification is complete with regard to form required by the Rules and MPEP.

Withdrawal of the objections to the specification is requested.

To the extent not obviated by the above amendments, the Section 112, second paragraph, rejection of claims 1, 15, 16, 22-24, 32, 36, 37, 40, 41, 50, 51, 58 and 62-64

is traversed. Reconsideration and withdrawal of the rejection are requested.

Consideration of the following further comments in this regard are requested.

SEQ ID NOs: 9 and 54 are reproduced below wherein the relationship of these sequences to SEQ ID NOs: 3-8 is demonstrated.

<400> 9  
Glu Val Gln Leu Val Glu Ser Gly Gly Asp Phe Val Gln Pro Gly Gly  
1 5 10 15  
Ser Leu Arg Val Ser Cys Ala Ala Ser Gly Phe Ala Phe Ser His Tyr  
20 25 30  

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Ala Met Ser Trp Val Arg Gln Ala Pro Gly Lys Gly Leu Glu Trp Val SEQ ID NO:4  
35 40 45  

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Ala Tyr Ile Ser Ser Gly Gly Ser Gly Thr Tyr Tyr Ser Asp Ser Val  
50 55 60  

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Lys Gly Arg Phe Thr Ile Ser Arg Asp Asn Ser Lys Asn Thr Leu Tyr  
65 70 75 80 SEQ ID NO:5  

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Leu Gln Met Arg Ser Leu Arg Ala Glu Asp Ser Ala Val Tyr Phe Cys  
85 90 95  

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Thr Arg Val Lys Leu Gly Thr Tyr Tyr Phe Asp Ser Trp Gly Gln Gly  
100 105 110  

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Thr Leu Leu Thr Val Ser Ser  
115

<400> 54

Asp Ile Gln Met Thr Gln Ser Pro Ser Ser Leu Ser Ala Ser Val Gly  
1 5 10 15

Asp Arg Val Thr Ile Thr Cys Ser Ala Ser Gln Asp Ile Ser Asn Tyr  
20 25 30

Leu Asn Trp Tyr Gln Gln Lys Pro Asp Lys Ala Val Lys Leu Leu Ile  
35 40 45

Phe Tyr Ser Ser Asn Leu His Ser Gly Val Pro Ser Arg Phe Ser Gly  
50 55 60

Gly Gly Ser Gly Thr Asp Tyr Thr Leu Thr Ile Ser Ser Leu Gln Pro  
65 70 75 80

Glu Asp Ile Ala Thr Tyr Phe Cys His Gln Tyr Ser Lys Leu Pro Trp  
85 90 95

Thr Phe Gly Gln Gly Thr Lys Val Glu Ile Lys Arg  
100 105

SEQ ID NO:6

SEQ ID NO:7

SEQ ID NO:8

The amino acid sequences of SEQ ID NOs:3, 4 and 5 correspond to amino acids 31 to 35, amino acids 50 to 66 and amino acids 99 to 108, respectively, of the amino acid sequence of SEQ ID NO:9. SEQ ID NO:9 therefore includes the CDR1, CDR2 and CDR3 of the H chain V region represented separately by SEQ ID NOs: 3, 4 and 5. Similarly, the amino acid sequences of SEQ ID NOs:6, 7 and 8 correspond to amino acids 24 to 34, amino acids 50 to 56 and amino acids 89 to 97, respectively, in the amino acid sequence of SEQ ID NO:54. SEQ ID NO:54 therefore includes the CDR1, CDR2 and CDR3 of the L chain V region represented separately by SEQ ID NOs: 6, 7 and 8.

Claim 1 has been revised to provide for the following four (4) alternative combinations:

(a) CDR1, CDR2 and CDR3 of H chain V region having the amino acid sequences represented by SEQ ID NOs:3, 4 and 5, respectively, and CDR1, CDR2 and

CDR3 of L chain V region having the amino acid sequences represented by SEQ ID NOs:6, 7 and 8, respectively,

(b) CDR1, CDR2 and CDR3 of H chain V region having the amino acid sequences represented by SEQ ID NOs:3, 4 and 5, respectively, and an L chain V region having the amino acid sequence represented by SEQ ID NO:54,

(c) an H chain V region having the amino acid sequence represented by SEQ ID NO:9; and CDR1, CDR2 and CDR3 of L chain V region having the amino acid sequences represented by SEQ ID NOs:6, 7 and 8, respectively, and

(d) an H chain V region having the amino acid sequence represented by SEQ ID NO:9; and an L chain V region having the amino acid sequence represented by SEQ ID NO:54.

In response to the Examiner's inquiry, the applicants note that the transformant KM8871 (FERM BP-6790) produces a humanized antibody comprising the heavy chain CDRs of SEQ ID NOs: 3-5 and heavy chain CDRs of SEQ ID NO:9 in that the CDRs of SEQ ID NO:9 are the CDRs of SEQ ID NOs:3-5, as noted schematically above. Moreover, the transformant KM8871 (FERM BP-6790) produces a humanized antibody comprising the light chain CDRs of SEQ ID NOs: 6-8 and light chain CDRs of SEQ ID NO:54 in that the CDRs of SEQ ID NO:54 are the CDRs of SEQ ID NOs:6-8, as noted schematically above. The Examiner is requested to see page 21, second full paragraph, of the specification in this regard.

Claim 41 has been revised to indicate that the H chain V region of SEQ ID NO:53 is SEQ ID NO:9, which represents amino acids 1-119 of SEQ ID NO:53.

Finally, the applicants submit, with due respect, that one of ordinary skill in the art will appreciate the metes and bounds of the recited therapeutic agent within the context of an antibody conjugate of the claims. The new claims have been added to recite specific therapeutic agents of the disclosure.

The claims are submitted to be definite and withdrawal of the Section 112, second paragraph, rejection is requested.

The Section 112, first paragraph, rejection of claims 1, 15, 16, 24, 36, 37, 50, 51, 63 and 64 is obviated by the above amendments. Reconsideration and withdrawal of the rejection is requested in view of the above amendments and comments. The claims are submitted to be supported by an adequate written description.

The claims are submitted to be in condition for allowance and a Notice to that effect is requested. The Examiner is requested to contact the undersigned in the event anything further is required in this regard.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

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